January 25, 2006

EX PARTE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: In the Matter of Communications Assistance for Law Enforcement Act, Docket No. 04-295

Dear Ms. Dortch:

On January 25, 2006, Don Knezek and Hilary Goldmann from the International Society for Technology in Education (ISTE), and Kathy Schrock, Administrator for Technology
Nauset Public Schools, Massachusetts and an ISTE Board Member met with the following staff at the FCC: Susan Aaron, Nick Alexander, Chris Killion, Julius Knapp, Geraldine Matise, Christi Shewman, Carol Simpson and Rodney Small to discuss the K-12 Community's position on CALEA compliance for K-12 schools.

The discussion focused on the K-12 Community's reply comments on ET Docket No. 04-295. We reiterated our interpretation of the FNPRM that K-12 schools are exempt from CALEA compliance, and if this interpretation is incorrect then the FCC should exempt K-12 schools from CALEA compliance. The potential cost to implement CALEA requirements will be a serious financial, technical and personnel burden for schools.

The conversation also highlighted the fact that k-12 school networks are distinct from both business and higher education networks. The primary purpose of school networks is to provide resources, online databases, and, access to online texts, interactive videoconferencing, and new technologies to support teaching and learning. With the way the funding formulas work in schools, we do not have the luxury of retrofitting and replacing technology infrastructure in a timely manner to keep up with the newest standards as businesses do. Within any school district, you will find state-of-the-art new construction with fiber backbones, and older buildings that still have 10-year old Ethernet cables in the wall. Because of our focus on students, it is often hard to justify the purchase and installation of routers and wires in lieu of

new library books and other school activities or supplies. This situation does, however, leave us with jerry-rigged networks that may encompass three different network speeds, five different operating systems, three different versions of an office suite, and hardware that may or may not be able to be upgraded. Additionally, schools often have a bare-bones technical support staff. Even some of the state standards require only one FTE maintenance person to support 100-200 computers, and many schools have many less than that. (http://www.doe.mass.edu/edtech/tplanguide04_07.html)

If you have any questions about this matter or need more information, please do not hesitate to contact me.

Sincerely,

Hilary Goldmann
Director of Government Affairs